



Attorney Docket No. 5501-0007
PATENT

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By: Anne Currier Carr
Anne Currier Carr

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

MITSUO NISHIKAWA

Examiner: Unassigned

Application No.: 10/512,109

Art Unit: Unassigned

Filed: October 19, 2004

Confirmation No.: 4547

For: POLYPEPTIDE HAVING AN ACTIVITY TO SUPPORT PROLIFERATION OR SURVIVAL OF HEMATOPOIETIC STEM CELL OR HEMATOPOIETIC PROGENITOR CELL, AND DNA CODING FOR THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37
C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copy of the publication ____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were

previously cited by or submitted to the Office in prior Application Serial No. to which the above-identified application claims priority under 35 U.S.C. §120.

- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ **before the mailing date of a first office action on the merits; or**
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

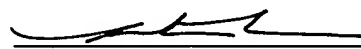
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 7/12/05

Respectfully submitted,

Robins & Pasternak LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Tel: (650) 493-3400
Fax: (650) 493-3440

By:


Roberta L. Robins
Reg. No. 33,208

RLR/acc



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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| | | Application Number | 10/512,109 | | |
| | | Filing Date | October 19, 2004 | | |
| | | First Named Inventor | Mitsuo Nishikawa | | |
| | | Art Unit | Unassigned | | |
| | | Examiner Name | Unassigned | | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 5501-0007 |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | AA | | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | BA | WO | 99 03980 | A1 | 01/28/1999 | Kirin Beer KK | | <input type="checkbox"/> |
| | BB | WO | 02 60942 | A2 | 08/08/2002 | Incyte Genomics | | <input type="checkbox"/> |
| | BC | WO | 02 070539 | A3 | 09/12/2002 | Hyseq, Inc. | | <input type="checkbox"/> |
| | BD | WO | 02 100898 | A2 | 12/19/2002 | Kirin Beer KK | | <input type="checkbox"/> |
| | BE | EP | 0 953 354 | A1 | 11/03/1999 | Fujisawa Pharm | | <input type="checkbox"/> |
| | BF | | | | | | | <input type="checkbox"/> |
| | BG | | | | | | | <input type="checkbox"/> |
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| | BM | | | | | | | <input type="checkbox"/> |

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| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | Complete if Known | | |
| | | | <i>Application Number</i> | 10/512,109 | |
| | | | <i>Filing Date</i> | October 19, 2004 | |
| | | | <i>First Named Inventor</i> | Mitsuo Nishikawa | |
| | | | <i>Art Unit</i> | Unassigned | |
| | | | <i>Examiner Name</i> | Unassigned | |
| | | | <i>Attorney Docket Number</i> | 5501-0007 | |
| Sheet | 2 | of | 2 | | |

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|--------------------------|--|--|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | T ² |
| | CA | Database WPI, Section Ch, Week 199911 Derwent Publications, Class B04, AN 1999-13227, Abstract for WO 9903980, Database Accession No. 1999-132227, January 28, 1999 (XP002248950), 2 pages. | | |
| | CB | Database EMBL 'Online!', the sequences from Adachi, J. et al., "Mus musculus adult male hippocampus cDNA, RIKEN full-length enriched library clone:C630007L04 product:hypothetical Thrombospondin type I repeat (TSP1) profile/Thrombospondin type I domain/Furin-like cystein rich region containing protein, full insert sequence," Database Accession No. AK049891, December 18, 2002 (XP002248970), 3 pages. | | |
| | CC | Database EMBL 'Online!', the sequences from Strausberg, R.L. et al., "Homo sapiens hypothetical protein MGC35555, mRNA (cDNA clone MGC:35555 IMAGE:5201681), complete cds," Database Accession No. BC027938, May 5, 2002 (XP002248948), 3 pages. | | |
| | CD | Database GenSeq 'Online!', the sequences from Tang, Y.T. et al., "Human polypeptide Seq ID No 1165," Database Accession No. ABP69118, January 20, 2003 (XP002248949), 1 page. | | |
| | CE | Drmanac, S. et al., "Accurate sequencing by hybridization for DNA diagnostics and individual genomics," Nature Biotechnology, Vol. 16, January 1998 (XP001064848), pp. 54-58. | | |
| | CF | Moore, K.A. et al., "Hematopoietic activity of a stromal cell transmembrane protein containing epidermal growth factor-like repeat motifs," Proc. Natl. Acad. Sci. USA, Vol. 94, April 1997 (XP002943669), pp. 4011-4016. | | |
| | CG | Moore, K.A. et al., "In Vitro Maintenance of Highly Purified, Transplatable Hematopoietic Stem Cells," Blood, Vol. 98, No. 12, June 15, 1997 (XP002220989), pp. 4337-4347. | | |
| | CH | Xu, M. et al. "Stimulation of Human Primitive Hematopoiesis by Murine AGM-Derived Stromal Cells," Blood, Vol. 90, No. 10, 15 November 1997 (XP002911189), page 483A. | | |
| | CI | | | |
| | CJ | | | |

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|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
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